

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

LAURALEE E. LOPEZ,

Plaintiff,

v.

CIV 20-0625 MV/KBM

ANDREW SAUL,  
Commissioner of Social  
Security Administration,

Defendant.

**PROPOSED FINDINGS & RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Defendant's unopposed Motion to Remand for Further Administrative Proceedings Pursuant to Sentence Four of 42 U.S.C.

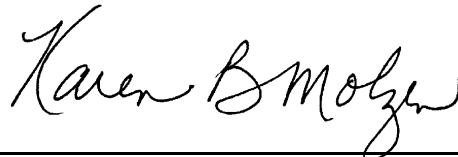
§ 405(G) (*Doc. 23*), filed on May 5, 2021. On February 3, 2021, Plaintiff filed her Motion to Reverse or Remand for a Rehearing with Supporting Memorandum (*Doc. 19*). In response, the Commissioner filed the instant motion for remand, which Plaintiff does not oppose. *Doc. 23*. In short, the parties agree that this case should be remanded for further proceedings.

However, to remand under sentence four of 42 U.S.C. § 405(g), the Court must review the record and determine whether the ALJ's decision is supported by substantial evidence, and whether the ALJ correctly applied the law relevant to the disability claim. *Nguyen v. Shalala*, 43 F.3d 1400, 1403 (10th Cir. 1994). If not, reversal is appropriate. *Id.*

Having reviewed the record in light of the issues Plaintiff raised in her Motion to Remand, the Court finds that the ALJ's decision is not supported by substantial

evidence and that the ALJ did not apply the correct legal standards in reaching a partially favorable disability determination. Therefore, the Court finds that the Commissioner's Motion to Remand (*Doc. 23*) is well taken and recommends that it be **granted**.

**THE PARTIES ARE FURTHER NOTIFIED THAT WITHIN 14 DAYS OF SERVICE** of a copy of these Proposed Findings and Recommended Disposition they may file written objections with the Clerk of the District Court pursuant to 28 U.S.C. § 636(b)(1). **A party must file any objections with the Clerk of the District Court within the fourteen-day period if that party wants to have appellate review of the proposed findings and recommended disposition. If no objections are filed, no appellate review will be allowed.**

A handwritten signature in black ink, reading "Karen B. Molzen". The signature is written in a cursive, flowing style.

---

HONORABLE KAREN B. MOLZEN  
UNITED STATES MAGISTRATE JUDGE